

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION**

Tommy's Castaic, LLC,	)	
Tommy's California Ventura, LLC,	)	
Larsons Marine	)	
d/b/a Tommy's Stockton,	)	
Larsons Marine	)	
d/b/a Tommy's Sacramento,	)	
High Country Watersports, LLC	)	
d/b/a Tommy's Colorado,	)	
MKB Florida Holdings, LLC	)	
d/b/a Tommy's Florida,	)	
Tommy's Phoenix, LLC,	)	
Tommy's Las Vegas, LLC,	)	
Tommy's Knoxville, LLC,	)	
Walloon Lake Village Marina, LLC	)	
d/b/a Tommy's Michigan,	)	Case No.: 3:24-cv-00166-KAC-JEM
Tommy's Chattanooga, LLC,	)	
Tommy's Fort Worth, LLC,	)	
Tommy's Lewisville, LLC,	)	
Tommy's Detroit, LLC,	)	
Tommy's Grand Rapids, LLC,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
vs.	)	
	)	
Malibu Boats, Inc., and	)	
Malibu Boats, LLC,	)	
	)	
<i>Defendants.</i>	)	

**NOTICE REGARDING MOTION TO DISMISS**

Defendants Malibu Boats, Inc. and Malibu Boats, LLC ("Defendants"), by and through counsel, hereby provides Notice to this Court regarding its Motion to Dismiss filed on June 24, 2024 [Doc. 32]. At the time of that filing, counsel for Malibu overlooked the meet and confer requirement under this Court's order at docket number 4. Malibu's counsel recognized the order while reviewing the docket today. Malibu and its counsel take this Court's orders seriously and

will rectify the omission. Malibu's counsel has contacted opposing counsel to conduct the meet and confer required by the order, and will advise the Court of the result of that meet-and-confer as soon as able. Malibu and its counsel apologize for the oversight.

Dated: June 24, 2024

Respectfully submitted,

**PAINE, BICKERS, ELEDER, KING AND  
WILLIAMS LLP**

By: /s Taylor A. Williams

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*Attorneys for Defendants Malibu Boats, Inc.  
and Malibu Boats, LLC*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of this pleading or document was filed electronically with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

This 24th day of June, 2024.

**PAINE, BICKERS, ELDER,  
KING & WILLIAMS LLP**

/s Taylor A. Williams